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Attorneys for Defendant Meta Platforms, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE META PIXEL TAX FILING CASES

This Document Relates To:

All Actions

Case No. 5:22-cv-07557-PCP (VKD)

**DEFENDANT META PLATFORMS,
INC.'S STATEMENT OF NON-
OPPOSITION TO PLAINTIFFS'
MOTION FOR LEAVE TO FILE
SECOND AMENDED COMPLAINT**

Date Action Filed: December 1, 2022

1 On April 2, 2025, plaintiffs filed a Notice of Motion and Motion for Leave to File Second
2 Amended Complaint. *See* Dkt. 164.

3 Pursuant to Local Civil Rule 7-3(b), Defendant Meta Platforms, Inc. (“Meta”) respectfully
4 submits this statement informing the Court that Meta does not oppose plaintiffs’ Motion for Leave to
5 File Second Amended Complaint (the “Motion”), but Meta will move to dismiss the new claim
6 included within plaintiffs’ proposed Second Amended Consolidated Class Action Complaint (“SAC”).
7 Plaintiffs did not inform Meta of their intention to file the Motion or their proposed SAC prior to this
8 filing; nor did plaintiffs serve Meta with an unredacted copy of the proposed SAC on the day that the
9 Motion was filed. [Harris Decl. ¶¶ 2, 3].

10 On an April 11, 2025 meet-and-confer with plaintiffs’ counsel, Meta proposed to plaintiffs’
11 counsel that the parties stipulate to a reasonable briefing schedule to efficiently brief the issues
12 implicated by the proposed SAC whereby Meta would not oppose plaintiffs’ Motion, subject to
13 plaintiffs’ agreement to an extension of time for Meta to move to dismiss the new claim included in
14 the proposed SAC. [Harris Decl. ¶ 4]. This proposal was intended to efficiently address the issues
15 presented by the proposed SAC without burdening the Court with what should be an administrative
16 issue. Plaintiffs’ counsel declined to substantively engage with Meta’s proposal or discuss it on the
17 April 11 meet-and-confer. [Harris Decl. ¶ 5]. Plaintiffs’ counsel then summarily rejected the proposal
18 without discussion or counterproposal the next day. [Harris Decl. ¶ 6]. Meta subsequently made
19 repeated offers by email on April 12 and April 14 to meet-and-confer regarding whether the parties
20 could come to an agreement on a reasonable briefing schedule, but plaintiffs’ counsel failed to
21 acknowledge or respond to these email requests. [Harris Decl. ¶ 7].

22 Accordingly, Meta respectfully requests the Court set a briefing schedule whereby Meta is
23 required to file any motion to dismiss the SAC 30 days from the filing of the SAC. Meta’s non-
24 opposition to plaintiffs’ motion for leave to file the proposed SAC is not, and should not be construed
25 as, an admission or agreement with the facts or arguments set forth in the Motion or the proposed SAC.
26 Meta reserves all rights, arguments, and defenses.

1 Dated: April 16, 2025

GIBSON, DUNN & CRUTCHER LLP

2 By: /s/ Lauren R. Goldman
Lauren R. Goldman

3 *Attorneys for Meta Platforms, Inc.*
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